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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,497	05/15/2001	Ricardo Augusto De Facci Oliveira	033616R004	7933

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EXAMINER

NGUYEN, HANH N

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 08/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/854,497

Applicant(s)

OLIVEIRA ET AL.

Examiner

HANH NGUYEN

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 11-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's election of claims 1-10 has been acknowledged. However, newly submitted claim 11 is considered to be independent claim written in short hand version. Therefore, claim 11 is not subjected to be rejoined.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the pulley and the gear must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. Claims 9 and 10 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. It is not clear how the electric starter is coupled to the main electric motor by means of a gear or by means of a pulley.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1,3-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Roesel, Jr. et al. (Patent No. 5,838,085).

Regarding claim 1, Roesel, Jr. et al. disclose an electric motor assembly (10) characterized by comprising a main electric motor (50A) and an electric starter motor (50) whose operation is coupled, so that the electric starter motor (50) is suitable for starting the main electric motor (Fig. 11,1 and Col.18, lines 38-65).

Regarding claim 3, Roesel, Jr. et al. also disclose an electric motor assembly wherein the electric starter motor (50) has the same power as the main electric motor (50A) (Col. 18, lines 47-50).

Regarding claims 4-6, Roesel, Jr. et al. also disclose an electric motor assembly wherein the electric starter motor and main electric motor have power ranging from 5HP to 15 HP (about 10 to 12 HP as disclosed in Col. 4, lines 55-63).

Regarding claims 7, Roesel, Jr. et al. also disclose an electric motor assembly wherein the electric starter motor has power of approximately 50HP (Col. 4, lines 65-68).

Regarding claims 8, Roesel, Jr. et al. also disclose an electric motor assembly wherein the electric starter motor is coupled to the main electric motor by means of a rotation axle (71 in Fig. 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roesel, Jr. et al. in view of Hoffman.

Regarding claim 2, Roesel, Jr. et al. show all limitations of the claimed invention except showing an electric motor wherein the electric starter motor has less power than the main electric motor.

However, Hoffman discloses an assembly structure wherein the starting motor has less power than the main motor for the purpose of starting the main motor.

Since Roesel, Jr. et al. and Hoffman are in the same field of endeavor, the purpose disclosed by Hoffman would have been recognized in the pertinent art of Roesel, Jr. et al.

It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to modify Roesel, Jr. et al. by using a starter motor having less power than the main motor as taught by Hoffman for the purpose of starting the main motor.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roesel, Jr. et al. in view of Satake et al.

Regarding claim 9, Roesel, Jr. et al. show all limitations of the claimed invention except showing the electric starter motor is coupled to the main electric motor by means of a pulley.

However, Satake et al. disclose an electric motor assembly wherein two motors are coupled by means of a pulley (Fig. 2B and Col. 8, lines 44-46) for the purpose of coupling output torque.

Since Roesel, Jr. et al. and Satake et al. are in the same field of endeavor, the purpose disclosed by Satake et al. would have been recognized in the pertinent art of Roesel, Jr. et al.

It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to modify Roesel, Jr. et al. by using a pulley to couple two motors as taught by Roesel, Jr. et al. for the purpose of coupling output torque.

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roesel, Jr. et al. in view of Yang.

Regarding claim 10, Roesel, Jr. et al. show all limitations of the claimed invention except showing the electric starter motor is couple to the main electric motor by means of a gear.

However, Yang discloses an electric motor assembly wherein three rotors are coupled by means of a gear (Fig. 41 and Col. 10, lines 55-58) for the purpose of coupling output torque.

Since Roesel, Jr. et al. and Yang are in the same field of endeavor, the purpose disclosed by Yang would have been recognized in the pertinent art of Roesel, Jr. et al.

It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to modify Roesel, Jr. et al. by using a gear to couple two motors as taught by Yang for the purpose of coupling output torque.

Conclusion


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh N Nguyen whose telephone number is (703) 305-3466. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

HNN

August 22, 2002


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